

Message Text

UNCLASSIFIED

PAGE 01 STATE 082099

42
ORIGIN EB-07

INFO OCT-01 ARA-10 ISO-00 COME-00 L-02 LOC-01 CIAE-00

INR-07 NSAE-00 /028 R

DRAFTED BY EB/CBA/BP:DVLA BRIE:BT
APPROVED BY EB/CBA/BP:ROBERT J. BUSHNELL
US PATENT OFFICE:MKIRK
L/EB:TTALLERICO (SUBS)
ARA/PAN:DPEASHOCK

----- 086353

R 102154Z APR 75
FM SECSTATE WASHDC
TO AMEMBASSY PANAMA

UNCLAS STATE 082099

E.O. 11652:N/A

TAGS:EIND, PN

SUBJECT:INDUSTRIAL PROPERTY - "SCARNEY BACCARAT"

REFERENCE: PANAMA A-2, JANUARY 2, 1975

- 1) DEPARTMENT HAS DISCUSSED REFAIR WITH U.S. COPYRIGHT AND PATENT OFFICE.
- 2) PATENT OFFICE POINTS OUT THAT PATENT AND TRADEMARK PROTECTION ARE TERRITORIAL IN NATURE AND APPLY ONLY WITHIN THE BOUNDARIES OF COUNTRIES ISSUING A PATENT OR REGISTERING A TRADEMARK. ALTHOUGH UNITED STATES AND PANAMA ARE MEMBERS OF THE PAN AMERICAN CONVENTION OF FEBRUARY 20, 1925, THIS CONVENTION DOES NOT GRANT TRADEMARK PROTECTION TO NATIONALS WITHIN MEMBER STATES, BUT ONLY FACILITATES EFFORTS BY NATIONALS OF ONE MEMBER STATE TO OBTAIN TRADEMARK PROTECTION IN OTHER MEMBER STATES.
- 3) RESEARCH BY PATENT OFFICE DETERMINED THAT JOHN SCARNE UNCLASSIFIED

UNCLASSIFIED

PAGE 02 STATE 082099

RPT SCARNE GAMES, INC., IS LISTED AS OWNER OF TRADEMARK

REGISTRATION NUMBER 950724 FOR SCARNEY BACCARAT. WORD BACCARAT IS DISCLAIMED APART FROM MARK, AND REGISTRATION WAS ISSUED FOR USE ON EQUIPMENT FOR PLAYING A CARD TYPE GAME. REGARDING PATENT PROTECTION, NAME JOHN SCARNE IS NOT

LISTED IN U.S. PATENT AND TRADEMARK INDEX OF INVENTORS. FURTHER, NAME OF JOHN SCARNE GAMES, INC., IS NOT LISTED IN U.S. PATENT AND TRADEMARK INDEX OF PATENT ASSIGNEES.

4) COPYRIGHT OFFICE ADVISES THAT A GAME "SCARNEY BACCARAT" HAS BEEN PUBLISHED WITH A COPYRIGHT NOTICE AND REGISTERED UNDER CATEGORY OF BOOKS.

5) PANAMA AND UNITED STATES ARE MEMBERS OF UNIVERSAL COPYRIGHT CONVENTION OF 1952. COPYRIGHT OFFICE STATES THAT ASSUMING SCARNEY BACCARAT GAME WAS PUBLISHED IN UNITED STATES WITH UNIVERSAL COPYRIGHT CONVENTION OF 1952 NOTICE, IT IS ENTITLED TO PROTECTION IN PANAMA IN ACCORDANCE WITH THAT COUNTRY'S NATIONAL COPYRIGHT LAW. UNDER ORDINARY COPYRIGHT PRINCIPLES, PROTECTION FOR A GAME WOULD COVER ONLY ORIGINAL TEXT AND PICTURAL MATERIAL. COPYRIGHT WOULD NOT PROTECT IDEA OR CONCEPT OF GAME. THEREFORE, ANYONE MAY PLAY GAME WITHOUT INFRINGING THE COPYRIGHT AND MAY USE THE RULES OF THE GAME WITHOUT INFRINGING THE COPYRIGHT.

6) EMBASSY SHOULD EXPLAIN TO OFICINA ADMINISTRACION DE LOS CASINOS THAT TRADEMARK PROTECTION OF GAME KNOWN AS SCARNEY BACCARAT IN PANAMA SHOULD BE DETERMINED THROUGH DISCUSSIONS WITH APPROPRIATE GOP OFFICIALS. KISSINGER

UNCLASSIFIED

NNN

Message Attributes

Automatic Decaptoning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: INDUSTRY, PROPERTY PROTECTION, TRADEMARKS, PATENTS, TRADEMARK AGREEMENTS
Control Number: n/a
Copy: SINGLE
Draft Date: 10 APR 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975STATE082099
Document Source: CORE
Document Unique ID: 00
Drafter: DVLA BRIE:BT
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D750126-0965
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19750461/aaaaceod.tel
Line Count: 90
Locator: TEXT ON-LINE, ON MICROFILM
Office: ORIGIN EB
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: 75 PANAMA A-2, 75 JANUARY 2, 75 1975
Review Action: RELEASED, APPROVED
Review Authority: ShawDG
Review Comment: n/a
Review Content Flags:
Review Date: 30 JUN 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <30 JUN 2003 by SilvaL0>; APPROVED <21 JAN 2004 by ShawDG>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
05 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: INDUSTRIAL PROPERTY - "SCARNEY BACCARAT"
TAGS: EIND, BGEM, PN, US, SCARNE GAMES INC
To: PANAMA
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006